

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Mark P. Wejchert,

Debtor(s).
-----X

Chapter 7

Case No.: **14-70282-las**

AFFIRMATION PURSUANT
TO LOCAL RULE 1009-1(a)

STATE OF NEW YORK) ss:
COUNTY OF SUFFOLK)

MICHAEL J. MACCO, as attorney for **Mark P. Wejchert**, (“Debtor”) affirms under the penalties of perjury that:

1. I am a member of the firm of MACCO & STERN, LLP, located at 2950 Express Drive South, Suite 109, Islandia, NY 11749. I am the attorney for the Debtor herein and am fully familiar with all the facts and circumstances herein.

2. The Debtor filed a petition under Chapter 7 of the United States Bankruptcy Code on **January 27, 2014**.

3. The Debtor wishes to amend Schedule C to take the a Wild Card Exemption 11 USC §522(d)(11)(E) in the amount of \$2,430.00 for the cash generated by a settlement of a lawsuit against former employer.

4. An Affidavit of Service is being filed simultaneously herewith in accordance with Local Rule 1000-1 evidencing service of the Affirmation, Debtor’s Affidavit, Amended Schedule C, and Amended Summary of Your Assets and Liabilities and Certain Statistical Information upon the United States Trustee and the Chapter 7 Trustee.

Dated: Islandia, New York
August 22, 2016

MACCO & STERN, LLP

By: /s/ Michael J. Macco

Michael J. Macco, Esq.

Attorney for Debtor

2950 Express Drive South – Suite 109

Islandia, NY 11749

(631) 549-7900

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In re:

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AFFIDAVIT PURSUANT

TO LOCAL RULE 1009-1(a)

STATE OF NEW YORK) ss:

COUNTY OF SUFFOLK)

Park P. Wejchert, ("Debtor") being duly sworn, deposes and says:

1. I am the Debtor who filed a voluntary petition for relief pursuant to Chapter 7 of the United States Bankruptcy Code on **January 27, 2014**. All Schedules and the Statement of Financial Affairs were filed with the voluntary petition.

2. Annexed hereto is an original of the (i) Amended Schedule C, and (ii) Amended Summary of Your Assets and Liabilities and Certain Statistical Information.

3. An Affidavit of Service is being filed simultaneously herewith in accordance with Local Rule 1009(b) evidencing service of this Affidavit upon the United States Trustee and the Chapter 7 Trustee.


/s/ Mark P. Wejchert
Debtor

Sworn to before me this
22nd day of August, 2016

/s/ Janine M. Zarrilli
Janine M. Zarrilli
Notary Public, State of New York
No. 01ZA5084708
Qualified in Nassau County
Commission Expires September 8, 2017

United States Bankruptcy Court
Eastern District of New York

In re **Mark P. Wejchert**

Debtor

Case No. **8-14-70282**Chapter **7**

SUMMARY OF SCHEDULES - AMENDED

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	450,471.00		
B - Personal Property	Yes	4	279,473.57		
C - Property Claimed as Exempt	Yes	2			
D - Creditors Holding Secured Claims	Yes	1		512,368.00	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	2		14,236.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	7		344,004.16	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	2			4,022.78
J - Current Expenditures of Individual Debtor(s)	Yes	2			8,712.08
Total Number of Sheets of ALL Schedules		23			
Total Assets			729,944.57		
Total Liabilities				870,608.16	

United States Bankruptcy Court
Eastern District of New York

In re **Mark P. Wejchert**

Debtor

Case No. **8-14-70282**Chapter **7**

STATISTICAL SUMMARY OF CERTAIN LIABILITIES AND RELATED DATA (28 U.S.C. § 159)

If you are an individual debtor whose debts are primarily consumer debts, as defined in § 101(8) of the Bankruptcy Code (11 U.S.C. § 101(8)), filing a case under chapter 7, 11 or 13, you must report all information requested below.

- ☐ Check this box if you are an individual debtor whose debts are NOT primarily consumer debts. You are not required to report any information here.

This information is for statistical purposes only under 28 U.S.C. § 159.

Summarize the following types of liabilities, as reported in the Schedules, and total them.

Type of Liability	Amount
Domestic Support Obligations (from Schedule E)	0.00
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	14,236.00
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	0.00
Student Loan Obligations (from Schedule F)	0.00
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	0.00
Obligations to Pension or Profit-Sharing, and Other Similar Obligations (from Schedule F)	0.00
TOTAL	14,236.00

State the following:

Average Income (from Schedule I, Line 12)	4,022.78
Average Expenses (from Schedule J, Line 22)	8,712.08
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	4,055.00

State the following:

1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column		61,897.00
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	14,236.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column		0.00
4. Total from Schedule F		344,004.16
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)		405,901.16

In re **Mark P. Wejchert**Case No. **8-14-70282**

Debtor

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT - AMENDEDDebtor claims the exemptions to which debtor is entitled under:
(Check one box)☒ 11 U.S.C. § 522(b)(2)☐ 11 U.S.C. § 522(b)(3)☐ Check if debtor claims a homestead exemption that exceeds
\$155,675. (Amount subject to adjustment on 4/1/16, and every three years thereafter
with respect to cases commenced on or after the date of adjustment.)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<u>Real Property</u>			
155 Shore Rd Mount Sinai, NY 11766	11 U.S.C. § 522(d)(1)	11,475.00	450,471.00
<u>Cash on Hand</u>			
Cash On Hand	11 U.S.C. § 522(d)(5)	10.00	10.00
<u>Checking, Savings, or Other Financial Accounts, Certificates of Deposit</u>			
Bank of America Checking Account Port Jefferson Station Branch	11 U.S.C. § 522(d)(5)	50.00	50.00
Bank of America Savings Account Port Jefferson Station Branch	11 U.S.C. § 522(d)(5)	0.00	0.00
Bethpage Federal Credit Union Checking Account Port Jefferson Station Branch	11 U.S.C. § 522(d)(5)	45.00	45.00
Bethpage Federal Credit Union Savings Account Port Jefferson Station Branch	11 U.S.C. § 522(d)(5)	0.00	0.00
Chase Checking Account Miller Place Branch (Account Restrained)	11 U.S.C. § 522(d)(5)	2,600.00	2,600.00
TD Bank Checking Account Mount Sinai Branch	11 U.S.C. § 522(d)(5)	900.00	900.00
<u>Security Deposits with Utilities, Landlords, and Others</u>			
Security Deposit with Landlord	11 U.S.C. § 522(d)(5)	600.00	600.00
<u>Household Goods and Furnishings</u>			
Misc. Household Goods and Furnishings	11 U.S.C. § 522(d)(3)	1,000.00	1,000.00
<u>Wearing Apparel</u>			
Misc. Wearing Apparel	11 U.S.C. § 522(d)(3)	1,000.00	1,000.00
<u>Furs and Jewelry</u>			
Misc. Jewelry	11 U.S.C. § 522(d)(4)	750.00	750.00
<u>Interests in IRA, ERISA, Keogh, or Other Pension or Profit Sharing Plans</u>			
T Rowe Price 401(k) Subject to Loan of \$12,974.90 Ex-wife entitled to \$73,000.00 (Account ending 1148)	11 U.S.C. § 522(d)(12)	202,818.57	202,818.57

In re **Mark P. Wejchert**Case No. **8-14-70282**

Debtor

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT - AMENDED

(Continuation Sheet)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
<u>Stock and Interests in Businesses</u>			
Smith Barney Stock Trading Account	11 U.S.C. § 522(d)(5)	200.00	200.00
<u>Other Contingent and Unliquidated Claims of Every Nature</u>			
Potential Fraudulent Conveyance Action Against Son for Transfer of 1999 Honda Civic and 2002 Acura in 2012	11 U.S.C. § 522(d)(5)	2,500.00	2,500.00
Potential lawsuit against former employer, 700 Eckerd Corporation d/b/a Rite Aid, for wrongful termination on 5/13/2013 and lost earnings compensation payments	11 U.S.C. § 522(d)(11)(E)	20%	59,000.00
<u>Automobiles, Trucks, Trailers, and Other Vehicles</u>			
2005 Subaru Impreza STi (101,000 miles)	11 U.S.C. § 522(d)(2) 11 U.S.C. § 522(d)(5)	3,675.00 2,325.00	6,000.00
2001 Chevrolet Suburban 1500 (200,000 miles)	11 U.S.C. § 522(d)(5)	1,000.00	1,000.00
<u>Boats, Motors and Accessories</u>			
1956 Rhodes 19' Sailboat with Trailer	11 U.S.C. § 522(d)(5)	1,000.00	1,000.00

Total:

243,748.57**729,944.57**Sheet 1 of 1 continuation sheets attached to the Schedule of Property Claimed as Exempt